



Cyprus

Country Reports on Human Rights Practices - [2001](#)

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Prior to 1974, Cyprus experienced a long period of intercommunal strife between its Greek Cypriot and Turkish Cypriot communities. In response the U.N. Peacekeeping Force in Cyprus (UNFICYP) began operations in March 1964. The island has been divided since the Turkish military intervention of 1974, following a coup d'etat directed from Greece. Since 1974 the southern part of the island has been under the control of the Government of the Republic of Cyprus. The northern part is ruled by a Turkish Cypriot administration. In 1983 that administration proclaimed itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The "TRNC" is not recognized by the United States or any other country except Turkey. The two parts are separated by a buffer zone patrolled by the UNFICYP. A substantial number of Turkish troops remain on the island. In both the government-controlled areas and in the Turkish Cypriot community, democratic principles generally are respected. Glafcos Clerides was reelected President of the Republic of Cyprus in 1998; in April 2000, Rauf Denktash was declared "President" after "Prime Minister" Dervish Eroglu withdrew following the first round of Turkish Cypriot elections. The judiciary generally is independent in both communities.

Police in the government-controlled area and in the Turkish Cypriot community are responsible for law enforcement. Police forces in the government-controlled area are under civilian control, while military authorities direct Turkish Cypriot police forces. Some police on both sides committed abuses.

Approximately 758,000 persons live on the island of Cyprus. Both Cypriot economies operate on the basis of free market principles, although in each community there are significant administrative controls. The government-controlled part of the island has a robust, service-oriented economy, with a declining manufacturing base and a small agricultural sector. Tourism and trade generated 23 percent of gross domestic product (GDP) and employed 29 percent of the labor force. During the year, per capita income was \$12,957, inflation was 2.0 percent, and unemployment was 3.4 percent. Growth was 4.0 percent, compared with 4.8 percent in 2000. The Turkish Cypriot economy is handicapped by restrictions imposed by the Government of Cyprus and other international institutions. In addition it relies heavily on subsidies from Turkey and is burdened by an overly large public sector. It, too, is basically service oriented but has a smaller tourism and trade base--accounting for 16.4 percent of GDP and employing 10.7 percent of the workforce--and a larger agricultural sector. During the year, per capita income in the north was approximately \$4,978; inflation was 53 percent in 2000 compared with 60 percent in 1999. Inflation was projected to be 70 percent for the year. Growth in the north was -0.6 percent during the year, compared with 5.3 percent in 2000.

The Government of the Republic of Cyprus generally respected the human rights of its citizens; however, there were problems in some areas. Instances of police brutality against detainees continued to be a problem. Police reportedly subjected Turkish Cypriots to surveillance. The Government placed some restrictions on persons traveling to the north. Violence against women persisted. Trafficking in women for prostitution remained a problem.

The Turkish Cypriot authorities generally respected human rights; however, there were a number of problems. Police continued to abuse suspects and detainees. Civilians continued to be tried in military courts. The authorities subjected members of the Greek Cypriot community living in the north to surveillance. The authorities also continued to restrict freedom of movement. Since 1997 the Turkish Cypriot authorities have banned most bicomunal contacts between Turkish Cypriots and Greek Cypriots, including previously frequent meetings in Nicosia's buffer zone. At times they attempted to prevent Turkish Cypriots from traveling to bicomunal meetings off the island as well. Cooperation between the authorities and the U.N. High Commissioner for Refugees was uneven. The Turkish Cypriot authorities have taken some steps to improve the conditions of Greek Cypriots and Maronites living in the territory under their control, but the treatment of these groups still falls short of Turkish Cypriot obligations under the Vienna III Agreement of 1975. Violence

against women and trafficking in women for prostitution were problems.

In May the European Court of Human Rights (ECHR) ruled that Turkey was responsible for violations of human rights in Cyprus stemming from the 1974 Turkish military intervention. The result of a complaint by the Government of Cyprus, the decision rejected the Turkish argument that the "TRNC" is an independent state and instead ruled that it is "a subordinate local administration of Turkey operating in northern Cyprus."

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

Turkish Cypriot authorities still have not conducted a credible investigation of the 1996 murder of a prominent leftist Turkish Cypriot journalist, Kutlu Adali, who wrote articles critical of Turkey's role in the north.

Also in 1996, Turkish Cypriot civilian police killed a Greek Cypriot demonstrator, who had entered the U.N. buffer zone, and participated in the beating death of another. There was no significant investigation by Turkish Cypriot authorities of the killings. The families of both of the deceased filed cases against Turkey in the ECHR; the cases remained pending at year's end.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Both the Constitution of the Republic of Cyprus and the basic law governing the Turkish Cypriot community specifically prohibit torture, the law in both communities prohibits such practices, and the authorities generally respected these provisions in practice; however, instances of Cypriot police brutality against detainees continued, mostly involving non-Cypriots. In February the Attorney General began an investigation into alleged police brutality against Roma. However, the investigation was closed in October on the grounds that there was no credible evidence that the police were involved.

There were credible reports of pervasive police abuse of power and routine harsh treatment of detainees in the Turkish Cypriot community (see Section 1.d.). For example, in December Teachers' Trade Union members alleged that they were beaten by police with batons while protesting the firing of a history teacher who published an article criticizing Turkey and its military in an opposition newspaper.

In 1998 the former European Commission on Human Rights agreed to investigate complaints by nine Turkish Cypriots that Greek Cypriot police mistreated them in 1994 and expelled them to the north. The complainants allege that they were threatened with death if they returned to the south and that Greek Cypriot police were responsible for the death of one complainant's son, after he returned to the south later in 1994. In May the ECHR found the Government of Cyprus responsible for inhuman treatment of the nine Turkish Cypriots and violation of their rights to liberty, security, and free movement. The Court awarded each complainant \$30,776 (20,000 Cyprus pounds) in compensation, plus legal expenses amounting to \$38,470 (25,000 Cyprus pounds). In July and August, the Government of Cyprus compensated the complainants.

Prison conditions generally meet international standards, although there were a few problems. According to a report issued in 2000 by the government Ombudsman, prisoners with psychiatric problems in the south do not receive proper medical care. In the south, women prisoners are held separately from men, and children are held separately from adults. However, persons incarcerated on minor charges are mixed with more violent criminals. Pretrial detainees are held separately from convicted criminals. In the north, women are held separately from men; however, there are no separate cells for juveniles in prison. They are held with adults. Pretrial detainees are held separately from convicted criminals also in the north.

The Cypriot Government and the Turkish Cypriot authorities permit prison visits by independent human rights monitors, although no such visits occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

Laws throughout Cyprus prohibit arbitrary arrest and detention; however, Turkish Cypriot police at times did not observe legal protections. Throughout Cyprus, judicially issued arrest warrants are required. No person may be detained for more than a day without referral of the case to the courts for extension of the period of detention. Most periods of investigative detention do not exceed 8 to 10 days before formal charges are filed. Attorneys generally have access to detainees; bail is permitted. The Government of Cyprus claims the right to deport foreign nationals for reasons of public interest whether or not they have been charged with or convicted of a crime.

Turkish Cypriot police at times did not observe legal protections, generally at the time of arrest. In some instances, suspects are not permitted to have their lawyers present when testimony is taken, in contravention of the Turkish Cypriot basic law. Suspects who demand the presence of a lawyer may be threatened with stiffer charges or even physically intimidated. A high percentage of convictions in the Turkish Cypriot community are obtained with confessions made during initial police interrogation under these conditions. According to credible reports, police are known to abuse their right to hold persons for up to 24 hours before having to go before a judge; suspects then are released within 24 hours without charges having been filed. Police officers use this tactic against persons suspected of serious crimes or believed to have behaved in a manner deemed insulting to the officer.

On December 1, 2000, Greek Cypriot police arrested Omer Gazi Tekogul for possession of 2 kilograms of heroin near the village of Pyla, located in the U.N. buffer zone. Shortly after Tekogul's arrest, a Turkish Cypriot official told the UNFICYP that Greek Cypriots would "disappear" in retaliation for Tekogul's arrest (this statement was later repudiated by Rauf Denktash). On December 13, Turkish Cypriot authorities arrested Greek Cypriot Panicos Tziakourmas for possession of marijuana. A British Sovereign Base Area (SBA) police investigation suggests that Tziakourmas was seized by Turkish Cypriots on SBA territory and that there was no evidence that he possessed marijuana. Turkish Cypriot authorities claim that Tziakourmas was arrested in the north. On March 20, Tekogul was found guilty and sentenced to 10 years in prison. He subsequently was pardoned by President Clerides and released on September 28. Tziakourmas was found guilty of drug possession, sentenced to the 3 months of time already served, and released on April 26, 2001. Tziakourmas filed a case with the ECHR that alleged the abuse of many of his rights, including false arrest and detention; his case was pending at year's end.

The Constitution and the basic law governing the Turkish Cypriot community prohibit forced exile, and it is not used.

e. Denial of Fair Public Trial

The Constitution and the basic law governing the Turkish Cypriot community provide for an independent judiciary, provisions which generally are respected in practice.

On both sides, most criminal and civil cases begin in district courts, from which appeals are made to Supreme Courts. No special courts exist for security or political offenses, although civilians in the Turkish Cypriot community may be tried in military courts.

Cyprus inherited many elements of its legal system from the United Kingdom, including the presumption of innocence, the right to due process, and the right of appeal. Throughout Cyprus the right to a fair public trial is provided for in law and generally accorded in practice. Defendants have the right to be present at their trials, to be represented by counsel (at public expense for those who cannot afford one), to confront witnesses, and to present evidence in their own defense.

In the Turkish Cypriot community, civilians charged with violating military zones or military regulations are subject to trial in a military court. These courts consist of one military and two civilian judges and a civilian prosecutor. Members of the Turkish Cypriot bar have complained that civilian judges tend to defer to their military colleagues in such hearings. In May the ECHR found that the Government of Turkey violated the right of Turkish Cypriots to a fair trial by authorizing civilians to be tried in military courts. In April the Turkish Cypriot "Constitutional Court" ruled that it is unconstitutional to try a civilian before a court with a military judge. Legislation to enforce the ruling had not been passed by year's end.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Both the Cyprus Constitution and the basic law governing the Turkish Cypriot community include provisions to protect the individual against arbitrary interference by the authorities, and a judicial warrant is required for a police official to enter a private residence; however, police on both sides have subjected members of the other community resident in their area to surveillance (see Section 5). The Turkish Cypriot authorities restrict the ability of Greek Cypriots and Maronites living in the north to change their place of residence (see Section 5).

In May 2000, Turkish Cypriot authorities announced that Greek Cypriots and Maronites resident in the north may bring their spouses to reside with them in the north, and that Greek Cypriot marriage certificates will be recognized as proof of marriage. Previously this required special permission, which was difficult to obtain. One such marriage took place in 2000, and the couple moved to the north. Another took place in September; that couple was awaiting permission to move back north at year's end.

In May the ECHR ruled that the Government of Turkey was responsible for violations concerning the homes and properties of Greek Cypriots displaced during the 1974 Turkish military intervention, as well as violations of the rights of Greek Cypriots still living in north Cyprus.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Laws provide for freedom of speech and of the press, and these rights generally are respected in practice throughout the island; however, there was at least one reported instance of harassment of a newspaper in the Turkish Cypriot community.

Independent newspapers and periodicals have proliferated in both communities. Opposition papers frequently criticized the authorities. In the north, for a population of approximately 150,000 persons, there are 11 newspapers. In the government-controlled area there are seven major daily newspapers, one weekly, and six major magazines. Several private television and radio stations in the Greek Cypriot community compete effectively with the government-controlled stations. In addition to two smaller, university-run radio stations, eight private radio stations operate in the Turkish Cypriot community, along with three radio stations run by the authorities. There are two television channels run by the authorities and three private television channels. International broadcasts are available without interference throughout the island, including telecasts from Turkey and Greece.

The Turkish Cypriot opposition newspaper Avrupa was reportedly subject to harassment. In May a bomb damaged the newspaper's offices. The authorities made no arrests in the case. In December Turkish Cypriot authorities confiscated Avrupa's furniture and computers for nonpayment of \$200,000 (280 billion Turkish lira) in fines. (The fines arose from a 1998 lawsuit by Turkish Cypriot officials against Avrupa's editor/owner.) The owner immediately closed Avrupa, renamed it Afrika, and kept the same editorial staff. Afrika continued daily publication at year's end.

Restrictions at times were imposed on the ability of journalists to cross the buffer zone to cover news events. The Cypriot Government denied entry to the south for visiting Turkish journalists who arrived in Cyprus through ports of entry in the north. In retaliation Turkish Cypriot authorities at times required Greek Cypriot journalists to purchase a "visa" to enter the north, which the journalists refused to do. Turkish Cypriot policy, while applied inconsistently, has been to permit Greek Cypriot journalists traveling as a group to cover events in the north without paying a "visa" fee, but not to allow individual Greek journalists entry unless they pay the fee.

Academic freedom is respected throughout the island.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respects these rights in practice.

Although Turkish Cypriot authorities also generally respected these rights, which are provided for in the basic law, they imposed restrictions on bicomunal meetings (see Section 2.d.).

c. Freedom of Religion

The Constitution of the Republic of Cyprus provides for freedom of religion, and the Government generally respects this right in practice. The basic law governing the Turkish Cypriot community also provides for freedom of religion, and the authorities generally respect this right in practice. Turkish Cypriots residing in the

southern part of the island and non-Muslims living in the north are allowed to practice their religions.

The 1960 Constitution of the Republic of Cyprus specifies that the Greek Orthodox Church (which is autocephalous and not under the authority of the mainland Greek Orthodox Church) has the exclusive right to regulate and administer its internal affairs and property in accordance with its holy canons and charter. The Constitution also states that the Turkish Cypriot religious trust, the Vakf (the Muslim institution that regulates religious activity for Turkish Cypriots), has the exclusive right to regulate and administer its internal affairs and property in accordance with Vakf laws and principles. No legislative, executive, or other act may contravene or interfere with the Orthodox Church or the Vakf. Both the Greek Orthodox Church and the Vakf are tax exempt with regard to religious activity. According to law, they are required to pay taxes only on strictly commercial activity.

Three other religious groups are recognized in the Constitution: Armenian Orthodox, Maronite Christians, and Latins (Roman Catholics). These groups also are exempt from taxes and are eligible, along with the Orthodox Church and the Vakf, for government subsidies. No other religious group is recognized in the Constitution.

Both the Government of Cyprus and the Turkish Cypriot administration have constitutional or legal bars against religious discrimination. The basic agreement covering treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south remains the 1975 Vienna III Agreement. Among other things, this agreement provides for facilities for religious worship.

Religions other than the five recognized religions are not required to register with government authorities; however, if they desire to engage in financial transactions, such as maintaining a bank account, they must register as a nonprofit company, and most do so. Registration generally is granted promptly, and many religious groups are recognized. No religious groups were denied registration during the year.

In the northern part of the island, the Turkish Cypriot basic law refers specifically to a "secular republic," and provides for religious freedom; no specific religion is recognized in the basic law. However, based on the 1960 Constitution, the Vakf, which pays the costs of Muslim religious activities and the salaries of Muslim religious leaders, is tax exempt in regard to its religious activities (the Vakf pays taxes on its commercial and real estate operations) and receives official subsidies. No other religious organization is tax exempt or receives subsidies.

Certain restrictions on the right of Greek Cypriots resident in the north to visit Apostolos Andreas monastery were eased in 1998. Greek Cypriot residents of Rizokarpasso may visit the monastery without restriction, but others must apply to the local authorities for permission. Maronites may not visit certain religious sites in the north located in military zones. Armenians may not visit any religious sites in the north.

In May 2000, the Turkish Cypriot authorities eliminated the system of fees imposed in 1998 for crossing the buffer zone, although a \$1.55 (1 Cyprus pound) processing fee remained in effect. Reciprocal visits to religious sites were suspended in July 2000 (see Section 2.d.). Such visits took place under a 1997 agreement that allowed Greek Cypriots to visit the Apostolos Andreas monastery in the north on designated Christian religious holidays, and Turkish Cypriots to visit the Hala Sultan mosque in the south on certain Muslim religious holidays.

In May the ECHR ruled that the Government of Turkey was responsible for restrictions imposed on Greek Cypriots resident in the north in regard to their access to places of worship and participation in other areas of religious life.

In April Turkish Cypriot authorities and the Government of Cyprus came to an agreement, after 4 years, on the assignment of a second Orthodox priest to work in the north. However, the Government of Cyprus had not identified a candidate for the position by year's end.

Although missionaries have the legal right to proselytize in both communities, missionary activities are monitored closely by both Greek Cypriot and Turkish Cypriot authorities. The police may initiate investigations of religious activity based on a citizen's complaint under laws that make it illegal for a missionary to use "physical or moral compulsion" in an attempt to make religious conversions. They may also investigate when missionaries may be involved in illegal activities that threaten the security of the republic, constitutional or public order, or public health and morals. There are occasional apprehensions under these laws that result in publicity but no arrests.

Instruction in the Greek Orthodox religion is mandatory for all Greek Orthodox children and is taught in all public primary and secondary schools in classes held twice per week in the government-controlled area. Members of Jehovah's Witnesses and Maronite parents can request that their children be excused from such

instruction. Such requests routinely are granted. There are no reports of practitioners of other religions requesting such an exemption.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Both the Cyprus Constitution and the basic law governing the Turkish Cypriot community provide for these rights, and they are generally respected in practice. Both authorities respect the right to travel abroad and to emigrate. Turkish Cypriots have difficulty traveling to most countries because travel documents issued by the "Turkish Republic of Northern Cyprus" are recognized only by Turkey. Most Turkish Cypriots use Turkish travel documents instead.

In June a group of Turkish Cypriot students and their teachers were denied permission by the Turkish Cypriot authorities to leave Cyprus in order to attend an international youth Olympics held in Athens. The stated reason was that civil servants (including teachers) are obliged to obtain permission from the relevant authorities for travel abroad.

Republic of Cyprus authorities discourage travel to the northern part of the island. They permit only day travel by tourists to the north, sometimes arbitrarily refuse permission to non-Cypriots to cross to the north, and pressure foreigners working in Cyprus not to cross to the north. They have declared that it is illegal to enter Cyprus except at authorized entry points in the south, effectively barring entry into the government-controlled area by foreigners who have entered Cyprus from the north.

Turkish Cypriots traveling to the south must seek prior permission from the Turkish Cypriot authorities and must provide the Turkish Cypriot authorities with an itinerary and the purpose of their travel. To pass the Greek Cypriot checkpoint, Turkish Cypriots must provide their planned itinerary, including their projected time of return, to the checkpoint police. They do not need to notify the checkpoint police in advance but do need to prove they are Turkish Cypriots. There is no limit on how long they may remain in the south. Some Turkish Cypriots have reported being followed by Greek Cypriot police during visits to the south.

Turkish Cypriot authorities generally allow visits to the north by persons who initially enter Cyprus in the south, but they have denied entry to foreigners of Turkish Cypriot origin who enter Cyprus in the south. In 1995 the Turkish Cypriot authorities instituted a policy under which foreign nationals of Greek Cypriot origin would be permitted to visit the Turkish Cypriot-controlled areas; however, implementation of the procedures has remained inconsistent, and visitors of Greek Cypriot or Armenian origin, or even persons having Greek or Armenian names, may face considerable difficulties entering the north. In August Turkish Cypriot authorities refused entry to a foreign governmental delegation wishing to travel to the Karpas, which included a Greek-surnamed foreign national, on the grounds that the delegation had not provided enough notice.

All visitors must obtain a formal "TRNC visa" to enter the north. In May 2000, Turkish Cypriot authorities lowered visa fees at the main Nicosia checkpoint to \$1.55 (1 Cyprus pound). Maronites are charged the same fee each time they cross. Requests to cross into the north must be submitted 48 hours in advance.

In July 2000, Turkish forces established a checkpoint in a location adjacent to the Greek Cypriot village of Strovilia and the British eastern SBA. Although access to Strovilia had been largely unimpeded, the checkpoint provides Turkish forces the ability to control the approach to the village. Despite protests from the UNFICYP and others, Turkish forces remained at the contested checkpoint at year's end in violation of the status quo. Turkish forces restricted UNFICYP movement, including refusing to allow the UNFICYP to man a checkpoint in Kokkina. On July 31, 2000, Greek Cypriot officials responded to those moves and denied Turkish Cypriots land passage to Kokkina. Visits to this pocket of land (which contains a memorial and is surrounded by the government-controlled area) are included in the 1997 reciprocal visit agreement. In August and November 2000, Turkish Cypriot officials denied access to southern Greek Cypriots to visit the Apostolos Andreas monastery. No reciprocal visits took place during the year under the agreement.

In 1996 the ECHR ruled 11 to 6 that Turkey committed a continuing violation of the rights of a Greek Cypriot woman by preventing her from going to her property located in north Cyprus. The ruling reaffirmed the validity of property deeds issued prior to 1974. In July 1998, the ECHR ordered the Turkish Government to pay the woman approximately \$915,000 (1.3 billion Turkish lira) in damages and costs. The Turkish Government stated that it could not implement the ECHR's decision, arguing that the land in question is not Turkish but is part of the "Turkish Republic of Northern Cyprus." During the year, the Council of Europe continued to call on the Turkish Government to comply with the Court's decision. Approximately 150 similar cases filed by Greek Cypriots against Turkey were declared admissible by the ECHR, but no judgements had been issued in any of the other cases by year's end.

Turkish Cypriot authorities in the past had approved most applications for Turkish Cypriots to participate in

bicommunal meetings in the U.N.-controlled buffer zone, but on December 27, 1997, they suspended Turkish Cypriot participation in these meetings pending a reevaluation of bicommunal activities. The "suspension" soon became an effective Turkish Cypriot ban on bicommunal contacts on Cyprus. Whereas in 1997 thousands of Greek Cypriots and Turkish Cypriots participated in bicommunal events, in which mixed groups met to discuss such topics as the environment, family violence, management techniques, business operations, and legal questions, the Turkish Cypriot ban halted almost all of those contacts. However, since June 2000, Turkish Cypriot authorities have eased the ban. On a case-by-case basis, the Turkish Cypriot authorities allowed some Turkish Cypriots to participate in bicommunal events in and across the buffer zone. Greek Cypriots still must obtain a Turkish Cypriot "visa" to visit the north. Turkish Cypriot authorities also attempted to interfere with some bicommunal events taking place outside Cyprus by requiring civil servants to seek permission from their respective employer and the Turkish Cypriot "Ministry of Foreign Affairs" before confirming their participation. Enforcement of the policy has been inconsistent, with some public officials permitted to attend off-island bicommunal events. Private citizens have been allowed to travel to off-island bicommunal events.

Turkish Cypriot authorities have announced the easing of restrictions on the 428 Greek Cypriots and 167 Maronites living in the north. Turkish Cypriot authorities usually grant the applications of Greek Cypriot residents in the north to visit the government-controlled area. Visits to the south are limited to a total of 6 months per year. The applicants must return within the designated period or risk losing their right to return and to keep their property, although this rule rarely is enforced in practice. Overnight stays also are limited to a "reasonable period" (said period to be determined by Turkish Cypriot authorities), with extensions possible. However, there were reports during the year that Turkish Cypriot authorities prevented family relatives from extending their stays in the north. There were also reports that Turkish Cypriot authorities prevented unlimited travel to the north by family relatives. Greek Cypriots visiting from the south may not travel in the north in their personal vehicles but must use taxis or buses and pay the crossing fee.

Similar restrictions exist for visits by Maronite residents of the north to the government-controlled areas, but they are applied much more loosely than restrictions on Greek Cypriots, and Maronite travel is relatively unrestricted. However, Maronite residents also must pay the required crossing fees.

While in the past the Turkish Cypriot authorities permitted school holiday and weekend visits to the north only by children under the ages of 16 (male) and 18 (female), the age limits for Maronite students and female Greek Cypriot students were lifted entirely in 1998. In May 2000, Turkish Cypriot officials announced that male Greek Cypriot students of military draft age who can show documentation proving that they are full-time students, and therefore not yet performing military duties, may continue to visit the north.

The Turkish Cypriot authorities no longer require Greek Cypriots or Maronites resident in the north to obtain police permits for internal travel in the north. They may use private vehicles registered and insured in the north. Implementation of the new policy has been inconsistent.

The Government generally cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR). Cyprus continued to attract a growing number of asylum seekers (1,620 by year's end), most of whom arrived by small boat. These cases are referred to the local UNHCR office for evaluation. If recognized as a refugee, the applicant is granted a 3-year residence permit renewable for 3 additional years. If applicants meet the criteria for refugee status, they are permitted to stay and are given temporary work permits. However, refugees generally are not granted permanent resettlement rights, although they are permitted to remain until resettlement in another country can be arranged.

In 2000, in accordance with the 1951 U.N. Convention on the Status of Refugees and its 1967 Protocol, the Cyprus legislature passed an asylum law designed to grant temporary residence to asylum applicants until their applications are reviewed by the competent government authority. The law is designed to transfer responsibility for asylum application processing from the UNHCR to the Government. However, due to the lack of rules and regulations to implement the asylum law, the UNHCR continued to review refugee applications. In July 2000, the Government established a 130-bed detention facility for housing arriving immigrants until their cases are evaluated.

In the north, cooperation between the Turkish Cypriot authorities and the UNHCR has been uneven. Working with the assistance of a local nongovernmental organization (NGO), the UNHCR recognized 2 persons as refugees in 1999 and 15 persons as refugees in the north in 2000. As of August, no person was recognized as a refugee during the year. Beginning in April, 221 asylum seekers who arrived in the north in groups were arrested, sentenced to between 10 days and 1 month of detention, and then deported. Several asylum seekers who entered the north in accordance with official procedures were allowed to present their cases to the UNHCR through a Turkish Cypriot NGO.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Multiparty political systems exist throughout Cyprus. The Republic's Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Political parties compete for popular support actively and without restriction. Elections for the office of President are held every 5 years; in February 1998, President Clerides won reelection to another 5-year term. Elections for members of the House of Representatives are held every 5 years or less.

The basic law provides Turkish Cypriots living in northern Cyprus with the right to change the elected authorities peacefully, and they exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. A leader and a representative body are elected every 5 years or less; in December 1998, they chose a new "National Assembly." In April 2000, Rauf Denkash was named Turkish Cypriot leader after his opponent, "Prime Minister" Dervish Eroglu, withdrew between the first and second round of voting.

Under the 1960 Constitution, voting takes place on a communal basis. Therefore since the breakdown in 1963 of bicomunal governing arrangements, and since the 1974 de facto partition of the island, Turkish Cypriots living in the government-controlled area are barred from voting there, although they may travel to the north to vote in elections. Similarly Greek Cypriots and Maronites living in the north are barred by law from participating in Turkish Cypriot elections; they are eligible to vote in Greek Cypriot elections but must travel to the south to exercise that right. Officials in the north representing Greek Cypriots and Maronites are appointed by the Government of Cyprus and are not recognized by Turkish Cypriot authorities.

In both communities, the percentage of women in government and politics does not correspond to their percentage of the population, although they face no legal obstacles to participating in the political process. Women hold some cabinet-level, judicial, and other senior positions. In the House of Representatives, women hold 6 of 56 seats; in the "National Assembly" in the north, women hold 4 of 50 seats.

In addition to their normal voting rights, the small Maronite, Armenian, and Latin (Roman Catholic) communities also elect special nonvoting representatives from their respective communities who sit in the respective legislative bodies.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human rights

No restrictions prevent the formation of human rights groups. A number of organizations in both areas of the island consider themselves human rights groups; however, they generally are concerned with alleged violations of the rights of their community's members by the other community. Groups with a broader human rights-related mission include organizations promoting awareness of domestic violence and others concerned with alleged police brutality. Representatives of international human rights organizations have access throughout the island. All of these groups in general operate without restriction by the authorities, and officials are cooperative and responsive to their views.

The United Nations, through the autonomous tripartite (U.N., Greek Cypriot, Turkish Cypriot) Committee on Missing Persons in Cyprus (CMP), is attempting to resolve the problem of missing persons who remain unaccounted for since the intercommunal violence beginning in 1963-64 and the events of July 1974 and afterwards. The CMP has made little progress, due to Turkish Cypriot reluctance to proceed without first fully accounting for those who may have been killed in internal Greek Cypriot fighting in July 1974 prior to the landing of Turkish forces on Cyprus. In December the leaders of both communities met to discuss the missing and agreed to redouble efforts to resolve the issue in cooperation with the CMP.

Since June 1999 the Government of Cyprus has been conducting exhumations of gravesites in the south that may contain the remains of persons missing since 1974. By year's end, 115 Greek Cypriots had been identified through DNA testing. Of those, 30 were listed among the missing since 1974; the remaining 85 were known to be dead, but the locations of their graves were unknown. The Turkish Cypriot authorities have not cooperated in this DNA identification effort. In July 2000, the Government of Cyprus released a list of 1,493 Greek Cypriot missing persons whose cases have been submitted to the CMP for investigation.

In May the ECHR ruled that the Government of Turkey was responsible for continuing human rights violations against Greek Cypriots missing since the 1974 Turkish military intervention and their surviving relatives.

The ECHR declined jurisdiction to examine some of the Government's complaints regarding the violation of rights of Turkish Cypriots, ruling that such persons could and should first exhaust domestic remedies provided by Turkey through judicial bodies established in the north.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Laws in both communities provide for protection against discrimination based on sex, religion, or national, racial, or ethnic origin. While each community generally respects such laws, significant problems remained concerning the treatment of the Greek Cypriots and Maronites living in the north and, to a lesser extent, with the treatment of Turkish Cypriots living in the government-controlled area.

Women

Spousal abuse in the Greek Cypriot community is a problem; and it continued to receive increased attention. An NGO formed to address domestic abuse reported 591 cases during 2000, compared with 747 cases in 1999. Women constituted 83.2 percent of the reported victims, children 14.3 percent, and men 2.3 percent. The NGO noted that the decrease in cases in 2000 should not be interpreted as an actual decrease in the incidence of domestic violence; a shortage in volunteer staff in 2000 decreased the number of the organization's domestic abuse hot line operating hours. The NGO operates a shelter for battered women in Nicosia.

In 2000 the House of Representatives passed a new law entitled the Violence in the Family (Prevention and Protection of Victims) Law designed to make family violence easier to report and prosecute. The testimony of child witnesses and experts, such as psychologists, may be used as evidence to prosecute abuses. The law increased prison terms for the abuse of family members. Many suspected cases of domestic violence do not reach the courts, largely because of family pressure and the wife's economic dependence on her husband. Very few cases tried in the courts have resulted in convictions.

Domestic violence in the Turkish Cypriot community is reportedly a problem, but little public discussion of such violence has occurred. Domestic violence cases are rare in the Turkish Cypriot legal system, since they often are considered a "family matter."

"Honor" crimes, in which women are victimized and even killed by relatives for alleged acts that dishonor the family, occur in the government-controlled area and in the north and are prosecuted in both areas. However, no honor-crime related deaths or injuries were reported on the island during the year.

Republic of Cyprus law does not prohibit voluntary prostitution; however, sexual exploitation and the trafficking of adults and children is a felony. Credible reports continued that women were trafficked and forced into prostitution in both communities (see Section 6.f.).

The Greek Cypriot press frequently reported on the mistreatment of some maids and other foreign workers (see Sections 6.c. and 6.e.).

There is no law against sexual harassment in the government-controlled area. Although prohibited by law in the north, sexual harassment is not discussed widely, and any such incidents largely are unreported. Throughout Cyprus, women generally have the same legal status as men. Greek and Turkish Cypriot women married to foreign husbands have the right to transmit citizenship to their children automatically. A 1998 Turkish Cypriot law on marriage and divorce provides for more equal treatment of husbands and wives. Under the law, the man no longer is considered legally the head of the family and does not have the exclusive right to decide the family's place of residence. The wife may retain her surname but must add the husband's surname. Turkish Cypriot women may marry non-Muslim men. In cases of divorce, the court decides on a fair distribution of the family's assets, with each partner assured a minimum of 30 percent. In dividing assets, the judge must take into account which partner is receiving custody of the children and provide sufficient means to support them.

Legal provisions in both communities that require equal pay for men and women performing the same job are enforced effectively at the white collar level, but Turkish Cypriot women employed in the agricultural and textile sectors routinely are paid less than their male counterparts.

Children

Both the Government and the Turkish Cypriot authorities are strongly committed to children's rights and welfare; they fund systems of public education and health care. There is no difference in the health care and

educational opportunities available to boys and girls. In the government-controlled areas, free education is available at all levels through the age of 18. Education is compulsory up to the age of 15 or completion of secondary school. In the Turkish Cypriot community, free education through the age of 15 is compulsory.

Despite improvements in living conditions for Greek Cypriots and Maronites, no Greek-language educational facilities for Greek Cypriot or Maronite children in the north exist beyond the elementary level. Parents thus are forced in many instances to choose between keeping their children with them or sending them to the south for further education (in which case Turkish Cypriot authorities no longer allow them to return permanently to the north).

Turkish Cypriot authorities screen all textbooks sent from the south to the Greek Cypriot schools, causing lengthy delays in their distribution and shortages of up-to-date texts. For example, in September 2000, Turkish Cypriot authorities did not approve approximately 30 percent of the books sent to the north, and the books were returned. In August a request by the Government of Cyprus to send a fourth teacher to the Greek Cypriot school in the north was rejected by Turkish Cypriot authorities.

There is no societal pattern of abuse of children.

Persons with Disabilities

In Cyprus generally, persons with disabilities do not appear to face discrimination in education or the provision of state services. In the Greek Cypriot community, persons with disabilities who apply for a public sector position are entitled to preference if they are deemed able to perform the required duties and their qualifications equal those of other applicants. In October 2000, the Government passed a law based on a 1993 U.N. General Assembly resolution on equal opportunities for persons with disabilities, which includes regulations promoting equal opportunities for them in the areas of employment, transportation, and recreation. In the Turkish Cypriot community, regulations require businesses to employ 1 person with disabilities for every 25 positions they fill, although enforcement is inconsistent.

The law in the Greek Cypriot community mandates that new public buildings and tourist facilities be accessible, although little has been done to enforce the law, despite the enactment in 2000 of relevant regulations. While there is increasing awareness of the issue, the Turkish Cypriot community has not enacted legislation to mandate access for persons with disabilities to public buildings and other facilities.

Religious Minorities

Greek Cypriots living in the north report that unused Orthodox churches continued to be vandalized. Although Turkish Cypriots reported that unused mosques in the south also have been vandalized, the Government routinely carried out maintenance and repair of mosques in the south. A previously unknown Greek Cypriot nationalist organization claimed responsibility for an arson attack on a mosque in the south in August 1999. Damage was light. The authorities repaired and built a fence around the mosque and pledged to increase protection of Muslim sites. Two persons were arrested for the attack, charged, and released; the case was pending at year's end.

National/Racial/Ethnic Minorities

Constitutional or other legal mechanisms prohibit discrimination in both communities. The 1975 Vienna III Agreement remains the basic agreement covering the treatment of Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south. The agreement provides for the voluntary transfer of populations, free and unhindered access by the UNFICYP to Greek Cypriots and Maronites living in the north and Turkish Cypriots living in the south, and facilities for education, medical care, and religious worship. Turkish Cypriot noncompliance with some of the provisions of the Vienna III Agreement made daily life difficult for Greek Cypriots and Maronites living in the north. At year's end, there were 428 Greek Cypriots and 167 Maronites resident in the north.

Some of the approximately 300 Turkish Cypriots living in the government-controlled area faced difficulties in obtaining identification cards and other government documents, especially if they were born after 1974. Turkish Cypriots also appeared to be subjected to surveillance by the Greek Cypriot police (see Section 1.f.). However, they made few formal complaints to the UNFICYP.

UNFICYP access to Greek Cypriots and Maronites living in the north remained limited. Despite improvements in living conditions for Greek Cypriots and Maronites, no Greek-language educational facilities for Greek Cypriot or Maronite children in the north exist beyond the elementary level (see Section 5/Children). Both

Greek Cypriots and Maronites living in the north are unable to change their place of residence at will. Although the Vienna III Agreement provides for medical care by a doctor from the Greek Cypriot community, only care by a Turkish Cypriot doctor registered with Turkish Cypriot authorities is permitted. Additional telephones have been installed for Greek Cypriots living in the north, although they, like Turkish Cypriots, must pay higher, "international" fees to make telephone calls to the south.

In May 1999, a Maronite house in the village of Asomatos was demolished by the Turkish military. Military officials indicated that the action was an error and promised to rebuild the house; however, it had not yet been rebuilt by year's end. Maronites still lack some public services available in most other Turkish Cypriot areas.

In 1998 the Turkish Cypriot authorities announced that they were reviewing legislation that bans Greek Cypriots and Maronites in the north from leaving property to heirs residing in the south. Such property would no longer be seized by the Turkish Cypriot authorities but would be taken into temporary custody pending probate of the will. However, it is not clear whether Turkish Cypriot legal provisions exist to facilitate the transfer of Greek Cypriot- and Maronite-owned property in the north to heirs in the south, and the practical effect of the 1998 announcement remained unrealized.

Section 6 Worker Rights

a. The Right of Association

All workers, except for members of the police and military forces, have the legal right to form and join trade unions of their own choosing without prior authorization; however, in the government-controlled area, police officers are permitted only to join associations that have the right to bargain collectively but not to strike. More than 70 percent of the Greek Cypriot workforce belongs to independent trade unions. Approximately 50 to 60 percent of Turkish Cypriot private sector workers, and all public sector workers, belong to labor unions.

In the Turkish Cypriot community, union officials alleged that various firms have been successful in establishing "company" organizations and then pressing workers to join these unions. Officials of independent labor unions also have accused the Turkish Cypriot authorities of creating rival public sector unions to weaken the independent unions.

In both communities, trade unions freely and regularly take stands on public policy issues affecting workers and maintain their independence from the authorities. Two of the major trade unions, one in each community, are affiliated closely with political parties. Both of the other major unions are independent.

All workers have the right to strike; however, in the northern part of the island, employers have an unrestricted right to hire replacement workers in the event of a strike, thereby limiting the effectiveness of the right to strike. In addition authorities in both the Greek Cypriot and Turkish Cypriot communities have the power to curtail strikes in "essential services," although this power is used rarely. There were no major strikes during the year.

Unions in both parts of Cyprus may and do affiliate with international trade union organizations, although Greek Cypriot unions sometimes object to recognition of Turkish Cypriot unions formed after 1963.

b. The Right to Organize and Bargain Collectively

By law trade unions and confederations are free to organize and bargain collectively throughout Cyprus. This right is observed in practice in the government-controlled areas, and most wages and benefits are set by freely negotiated collective agreements; however, Greek Cypriot collective bargaining agreements are not enforceable. In the rare instances in which persons claim that such agreements were infringed, the Ministry of Labor is requested to investigate. If the Ministry is unable to resolve the dispute, the union may call a strike to support its demands.

In the Turkish Cypriot community, wage levels are reviewed several times a year for both private sector and public sector workers, and a corresponding cost-of-living raise is established. A special commission composed of five representatives each from organized labor, employers, and the authorities conduct the review.

Antiunion discrimination is not illegal in the Turkish Cypriot community. Union leaders contend that private sector employers are able to discourage union activity because the enforcement of labor regulations is sporadic, and penalties for antiunion practices are minimal. As in the Greek Cypriot community, parties to a dispute may request mediation by the authorities. Antiunion discrimination is illegal in the government-controlled area.

Small export processing zones (EPZ's) exist in the port of Larnaca and in Famagusta; the laws governing working conditions and actual practice in the EPZ's are the same as those outside the zones.

c. Prohibition of Forced or Compulsory Labor

Laws prohibit forced or compulsory labor throughout Cyprus; however, there were credible reports that women were trafficked into Cyprus for prostitution (see Section 6.f.). Foreign maids and illegal foreign workers allegedly are subject to the nonpayment of wages and the threat of deportation (see Section 6.e.).

Laws prohibit forced and bonded labor by children in both communities, and there were no reports that such practices occurred.

d. Status of Child Labor Practices and Minimum Age for Employment

In both the government-controlled area and Turkish Cypriot community, the minimum age for the employment of children in an "industrial undertaking" is 16 years of age. Turkish Cypriots may be employed in apprentice positions at the age of 15. There are labor inspectors in both communities who enforce the law effectively. However, in family-run shops it is common for younger children to work after school, and according to press reports, children as young as 11 or 12 years of age work in orchards during their school holidays in the Turkish Cypriot community.

Laws prohibit forced and bonded labor by children, and such practices are not known to occur (see Section 6.c.).

During the year, a law enacted in the Greek Cypriot community updated provisions of previous legislation in line with the European Union acquis. The new legislation significantly increased fines for child labor abuses and added regulations that deal with culture, sports, and advertising.

e. Acceptable Conditions of Work

The legislated minimum wage in the government-controlled area, which is reviewed every year, is approximately \$420 (280 Cyprus pounds) per month for shop assistants, practical nurses, clerks, hairdressers, and nursery assistants. The wage rises to \$450 (300 Cyprus pounds) after 6 months' employment. Neither amount is sufficient to provide a decent standard of living for a worker and family. All other occupations are covered under collective bargaining agreements between trade unions and employers within the same economic sector, and the wages set in these agreements are significantly higher than the legislated minimum wage (see Section 6.b.). The legislated minimum wage in the Turkish Cypriot community, while subject to frequent review because of high inflation, was approximately \$170 (238 million Turkish lira) per month at year's end. This amount is insufficient to provide a decent standard of living for a worker and family. Unskilled workers typically earn about \$416 (260 Cyprus pounds) per month, which barely is adequate to support a family.

In the government-controlled area, the legal maximum workweek in the private sector is an average of 39 hours for white-collar workers and 38 hours for blue-collar workers. In the public sector, it is 38 hours during the winter and 35 hours in the summer. In the Turkish Cypriot community, the legal maximum workweek is 38 hours in the winter and 36 hours in the summer. Labor inspectors effectively enforce these laws.

Steps have been taken to improve health and safety standards in the workplace in the government-controlled area. A 1997 law harmonized health and safety standards with those in the EU. The law incorporates EU principles and standards for health and safety in the workplace and complies fully with the 1981 International Labor Organization convention on occupational health and safety. A second 1997 law requires employers to provide insurance liability coverage for work-related injuries. According to labor union officials, these laws are enforced effectively.

Occupational safety and health regulations are enforced sporadically in the Turkish Cypriot community. In both the government-controlled area and the Turkish Cypriot community, factory inspectors process complaints and inspect businesses in order to ensure that occupational safety laws are observed. Workers in the government-controlled area may remove themselves from dangerous work conditions without risking loss of employment. Turkish Cypriot workers who file complaints do not receive satisfactory legal protection and may face dismissal.

There were frequent reports on the mistreatment of maids and other foreign workers in the Greek Cypriot press. Such reports usually involved allegations that maids, often from East or South Asia, were mistreated by

their employers or fired without cause in violation of their contracts. Many women do not complain to authorities, fearing retribution from their employers. A new law passed during the year protects domestic workers who file a complaint with the Labor Department from being deported until their case has been adjudicated.

A significant percentage of the labor force in the north consists of illegal workers, mostly from Turkey. According to some estimates, illegal workers constitute as much as 15 percent of the total work force there. There are frequent allegations that such workers were subject to mistreatment, including the nonpayment of wages and threats of deportation.

f. Trafficking in Persons

The law in the government-controlled area criminalizes trafficking, but the law in the north does not prohibit trafficking; during the year, there continued to be credible reports that women were trafficked into both communities for the purpose of prostitution.

Agents in Eastern Europe recruited young women for prostitution in the government-controlled area. The women came principally from Ukraine, Romania, Moldova, Russia, and Bulgaria and entered either illegally after authorities were bribed or on temporary 3-month work permits. In some instances, they then were forced to surrender their passports or forced to stay beyond the period of their work permits and in some cases were not paid their full salaries. A similar pattern existed in the recruitment and hiring of Eastern European women to work in the Turkish Cypriot community, and reports persisted regarding the coercion of nightclub workers, such as the confiscation of victims' passports. Estimates on the extent of the problem are difficult to obtain.

In 2000 the Cypriot legislature passed a law making it a felony to engage in the sexual exploitation and trafficking of adults (with or without their consent) and children. The law provides for punishment of up to 20 years' imprisonment for trafficking. There were no reported convictions by year's end; however, three individuals were charged with trafficking under the new law, and their cases were pending at year's end. In January 2000, the Turkish Cypriot "National Assembly" passed a law designed to regulate the hiring of women in nightclubs, including penalties for women and employers that engage in prostitution; the law does not prohibit trafficking. A holdover from British preindependence law makes it illegal in both communities to procure a woman for prostitution, although the crime is only a misdemeanor. Turkish Cypriot authorities deny the existence of trafficking, and no resources specifically are earmarked to combat it. The Greek Cypriot authorities arrested nightclub operators for profiting from prostitution. Corruption among law enforcement and immigration personnel is an obstacle to the effective policing or prevention of trafficking in both communities. In September 1999, the Chief of Migration Department in the government-controlled area was arrested for illegally issuing visas to female nightclub workers and pub owners; he was convicted during the year and sentenced to 18 months' imprisonment.

The law obligates the State to provide protection and support for victims, and the Government made some effort to protect women who brought complaints against employers by allowing them to remain to press charges or facilitating their return home. Under the law, the Government must also provide shelter and medical and psychiatric care until the victims have recovered from any traumatic experience. Persons convicted of trafficking may be required by the court to pay such costs in addition to any repatriation costs. The Government may appoint a guardian for victims to advise and give counsel and to represent the victim with the appropriate government agency. Victims may sue traffickers for damages. There are no similar legal provisions in the Turkish Cypriot community. However, many of the women are reluctant to press charges, fearing retaliation by employers or deportation.

NGO's that protect the rights of women and immigrant workers are available to assist victims of trafficking; however, they state that they very rarely receive any requests for assistance.